

## **REMARKS/ARGUMENTS**

Claims 19-27 are pending in the application. Claims 1-18 have been canceled.

New claim 19 is directed to a wiper spring including, *inter alia*, a length of spring wire having a first hook-like end portion at one end shaped to slide over the drive arm of a vehicle wiper assembly from one side and a second hook-like end portion at the other end shaped to hook over the wiper arm. The first hook-like end portion is in a plane that is generally rearwardly and upwardly angled relative to the axis of an intermediate length of the spring wire on one side of the intermediate length with the open end of the first hook-like end portion generally facing the axis of the intermediate length. The second hook-like end portion is in a second plane that is generally perpendicular to the axis of the intermediate length of the spring wire and extends vertically and laterally relative to the one side of the intermediate length with the open end of the second hook-like end portion generally facing downwardly. In addition, there is a downwardly angled bend in the intermediate length of the spring wire adjacent the second hook-like end portion.

Admittedly the cited Brasty U.S. Patent 2,885,710 discloses a wiper spring having first and second generally U-shaped hook-like ends for engagement with the drive arm and wiper arm of a wiper assembly. Also the first hook-like end portion 6 of Brasty is open in a direction generally facing the axis of an intermediate length of the spring and the second hook-like end portion 8 is generally perpendicular to the axis of the intermediate length and opens in a direction facing downwardly. However, nowhere does Brasty disclose or suggest providing such a wiper spring with a downwardly angled bend in the intermediate length of the spring wire adjacent the second hook-like

end portion. Instead, Brasty shows a downwardly angled bend in the intermediate length adjacent the first hook-like end portion which is already angled in the opposite direction. This necessitates that both the downwardly angled bend and the oppositely angled first hook-like end portion be more sharply angled, which increases the stresses in the wiper spring which may lead to premature failure.

Providing the downwardly angled bend in the intermediate length adjacent the second hook-like end portion allows both the downwardly angled bend and the first hook-like end portion to be angled less and gives added rigidity to the wiper spring adjacent the second hook-like end portion so that the desired preload in the spring may be maintained for a longer period of time than the wiper spring of Brasty. Accordingly, claim 19 is submitted as clearly allowable.

Claims 20-23 depend from claim 19 and are submitted as allowable for substantially the same reasons in addition to reciting other novel features in the claimed combination. Claim 20 additionally recites at least one upwardly extending spring loop in the intermediate length of the spring wire intermediate the first hook-like end portion and the downwardly angled bend. In Brasty the spring loop 12 is immediately adjacent the downwardly angled bend where it is less effective than applicant's claimed spring loop in giving the spring added spring force which allows applicant to use less expensive spring steel wire to make the wiper spring.

Claims 21 and 22 further patentably distinguish over Brasty by reciting that the downwardly angled bend has a bend angle of approximately 15° to 25° relative to the general axis of the intermediate length. Also claim 22 additionally recites that the first hook-like end portion is in a general plane that extends generally rearwardly and

upwardly at an angle of approximately 10° to 20° relative to the axis of the intermediate length of the spring wire. The Examiner admits that the particular angles for the downward bend of Brasty leading to offset 13 and the first hook-like end portion appear to be much greater than that (e.g., 45° bends), but contends it would be an obvious modification to Brasty to select different angles, including as claimed. Applicant disagrees for the reasons previously indicated. Moreover, the facts in the record must support the legal conclusion of obviousness under 35 U.S.C. § 103. Merely stating that a particular angle is obvious, without adequate factual support, is not sufficient.

Claim 23 additionally recites a plastic protective coating covering the length of the spring wire, which is also clearly nowhere disclosed in Brasty.

Claim 24 includes the same structural features of the wiper spring of claim 1 in combination with a vehicle wiper assembly and is submitted as allowable for substantially the same reasons. Claims 25-27 depend from claim 24 and further patentably distinguish over Brasty by reciting other novel structural features in the claimed combination substantially as set forth in claims 20-22 already discussed.


For the foregoing reasons, this application is now believed to be in condition for final allowance of all of the pending claims 19-27, and early action to that end is earnestly solicited. Should the Examiner disagree with applicant's attorney in any respect, it is respectfully requested that the Examiner telephone applicant's attorney in an effort to resolve such differences.

In the event that an extension of time is necessary, this should be considered a petition for such an extension. If required, fees are enclosed for the extension of time and/or for the presentation of new and/or amended claims. In the event any additional

fees are due in connection with the filing of this reply, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Docket No. DER3P0101US).

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By   
Donald L. Otto  
Registration No. 22,125

1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115-2191  
Phone: 216-621-1113  
Fax: 216-621-6165

Z:\SEC177\DER3\REPLY TO OA OF 12-16-04.wpd